

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

ALLEN RHEAUME,  
Plaintiff

v.

ROBERT HOFMANN, RAYMOND  
FLUM, SANDRA OLBERG,  
RICHARD BYRNES, JAY SIMONS,  
KEITH TALLON, LYNN ROBERTO,  
SUE BLAIR, RUTHIE HOLMES,  
Defendants

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File No. 1:06-CV-13

**ORDER**

The Magistrate Judge's Report and Recommendation was filed October 11, 2006 (Paper 21). After de novo review and absent timely objection, the Report and Recommendation is AFFIRMED, APPROVED and ADOPTED. See 28 U.S.C. § 636(b)(1). Defendants' motion to dismiss (Paper 12) is GRANTED and the case is hereby DISMISSED.

It is further certified that any appeal taken in forma pauperis from this Order would not be taken in good faith because such an appeal would be frivolous. See 28 U.S.C. § 1915(a)(3).

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 1<sup>st</sup> day of November, 2006.

/s/ J. Garvan Murtha  
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J. Garvan Murtha  
United States District Judge